

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lee et al.

Serial No.: 10/614,687

For: LOOK AND FEEL TO ENHANCE USABILITY ON UNIX PLATFORMS

Filed: July 7, 2003

Examiner: Ryan F. Pitaro

Art Unit: 2174

Confirmation No.: 7413

Customer No.: 64612

Attorney Docket: SVL920030030US1

**Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

RESPONSE TRANSMITTAL

We are enclosing an Amendment in response to the communication dated September 21, 2007 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$_____ to extend the time for filing this response until _____.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	19	Minus	20	0	x \$50.00	\$
Independent Claims	3	Minus	3	0	x \$200.00	\$
MULTIPLE DEPENDENT CLAIM FEE				x \$360.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0.00		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		

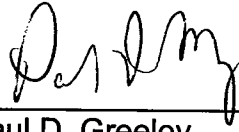
The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00 .

 A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 09-0460** in the name of International Business Machines Corporation.

December 21, 2007

Date



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lee et al.
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For: LOOK AND FEEL TO ENHANCE USABILITY ON UNIX PLATFORMS
Filed: 7 JUL 2003
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962.0026USU

RESPONSE

**Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Applicants are submitting the present document in response to an Office Action dated 21 SEP 2007 (hereinafter "the Office Action") for the above-noted application. Applicants are not presently making any amendment.

REMARKS

Claims 1 - 19 are pending in the present application. Reconsideration of the application is respectfully requested.

In section 4 of the Office Action, claims 1 – 4, 6 – 11, 14 – 16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over a document that describes an aspect of Allegro (hereinafter “the Allegro document”) in view of U.S. Patent Application Publication No. 2002/0093523 to Ashe et al. (hereinafter “the Ashe et al. publication”). Applicants are traversing this rejection.

Claim 1 provides for a system that includes, *inter alia*, a software component executable on a computer system to override a plurality of default icons for a component with preferred icons, and a module that presents the preferred icons for display on a graphical user interface (GUI) in place of the default icons.

The Office Action, on page 3, recognizes that the Allegro document does not expressly state overriding default values, and so, the Office Action looks to the Ashe et al. publication for this feature, and cites paragraphs 0034 and 0035.

The Ashe et al. publication is directed toward a graphical user interface organized in a hierarchical structure (Abstract). FIG. 4 is a block diagram of the hierarchical structure (par. 0016).

NOTE: Applicants believe that the Ashe et al. publication, FIG. 4, is incorrect with regard to its presentation of reference numbers. More specifically, based on a description of FIG. 4 in paragraph 0030, Applicants believe that FIG. 4 incorrectly shows reference numbers 42, 44, 46 and 48, where it should have shown reference numbers 50, 52, 54 and 56, respectively.

Nevertheless, in the Ashe et al. publication, FIG. 4 shows that the graphical user interface can be represented with features in accordance with a theme, namely Theme 1 or Theme 2, that is selectable by a user (par. 0030). That is the user merely selects Theme 1 or Theme 2 for employment on the graphical user interface (see last several sentences of paragraph 0030).

The Ashe et al. publication, paragraphs 0034 - 0035, with reference to FIG. 6, describes an example of the type of information that might be stored in a theme module of FIG. 4, when

representing a check box (par. 0034, first sentence). For the example shown in FIG. 6, the check box can occupy one of twelve different states (par. 0034, fourth sentence). Applicants believe that FIG. 6 merely shows exemplary states of the check box, in accordance with a selected theme. Applicants have not found any passage in paragraphs 0034 - 0035 that describes themes as being characterized as default themes or preferred themes. Moreover, Applicants have not found any disclosure in the Ashe et al. publication of an operation that involves an overriding of a default theme.

As noted above, the Allegro document does not describe overriding default values. Additionally, whereas in the Ashe et al. publication, the user merely selects Theme 1 or Theme 2 for employment on the graphical user interface, the Ashe et al. publication does not describe either of Theme 1 or Theme 2 as being a default theme or a preferred theme, and does not describe an overriding operation. Accordingly, Applicants submit that the cited combination of the Allegro document and the Ashe et al. publication does not disclose or suggest a software component executable on a computer system to **override** a plurality of default icons for a component with preferred icons, and a module that presents the **preferred icons** for display on a graphical user interface (GUI) in place of the **default icons**, as recited in claim 1. Accordingly, Applicants further submit that claim 1 is patentable over the cited combination of the Allegro document and the Ashe et al. publication.

Claims 8 and 14 each include recitals similar to that of claim 1, described above. Accordingly, claims 8 and 14, for reasoning similar to that provided in support of claim 1, are also patentable over the cited combination of the Allegro document and the Ashe et al. publication.

Claims 2 – 4, 6 and 7 depend from claim 1, claims 9 – 11 depend from claim 8, and claims 15, 16, 18 and 19 depend from claim 14. By virtue of these dependencies, claims 2 – 4, 6, 7, 9 – 11, 15, 16, 18 and 19 are also patentable over the cited combination of the Allegro document and the Ashe et al. publication.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 1 – 4, 6 – 11, 14 – 16, 18 and 19.

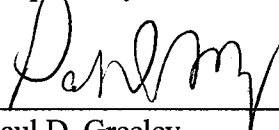
In section 5 of the Office Action, claims 5, 12, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Allegro document and the Ashe et al. publication, in view of U.S. Patent No. 6,029,198 to Iizuka (hereinafter "the Iizuka patent").

Claim 5 depends from claim 1, claims 12 and 13 depend from claim 8, and claim 17 depends from claim 14. Applicants respectfully submit that the Iizuka patent does not make up for the deficiencies of the Allegro document and the Ashe et al. publication, as the Allegro document and the Ashe et al. publication relate to claims 1, 8 and 14, and that therefore, claims 1, 8, and 14, and claims 5, 12, 13 and 17, by virtue of their dependencies, are all patentable over the cited combination of the Allegro document, the Ashe et al. publication and the Iizuka patent.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 5, 12, 13 and 17.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,



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12/21/07

Date